

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GUILLE REYNOSO,  
Plaintiff,

v.

GATEWAY MORTGAGE GROUP, LLC,  
Defendant.

Case No. [5:17-cv-06616-HRL](#)

**ORDER TO SHOW CAUSE RE  
SUBJECT MATTER JURISDICTION**

Defendant Gateway Mortgage Group, LLC (Gateway) removed this action here on November 16, 2017, asserting diversity jurisdiction, 28 U.S.C. § 1332. The notice of removal asserts that “Gateway is incorporated in Oklahoma and has its principal place of business in Jenks, Oklahoma, and is, therefore, a citizen of Oklahoma for diversity purposes.” (Dkt. 1, Notice of Removal ¶ 17). The notice goes on to conclude that “[b]ecause Plaintiff is a citizen of California and Gateway is a citizen of Oklahoma, complete diversity exists between the parties.” (Id. ¶ 19).

For purposes of diversity jurisdiction, LLCs are treated like partnerships. Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006). Thus, “like a partnership, an LLC is a citizen of every state of which its owners/members are citizens.” Id. Defendant’s notice of removal does not identify the citizenship of all of the owners/members of Gateway. Thus, the court cannot determine whether subject-matter jurisdiction exists on the basis of

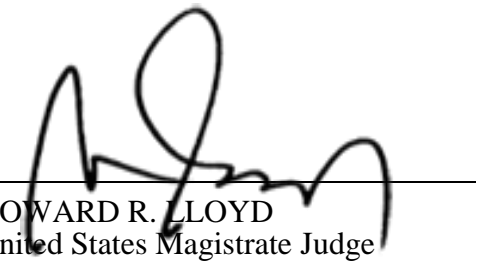
1 diversity of citizenship.

2 Gateway is therefore ordered to show cause why this matter should not be dismissed for  
3 lack of subject matter jurisdiction. A response to this order to show cause is due November 27,  
4 2017. Defendant's response requires evidence, via a declaration or otherwise, that all of the  
5 owners/members of the LLCs are diverse in citizenship from plaintiff. Failure to timely provide  
6 such evidence will result in remand to the state court for lack of subject matter jurisdiction.

7 SO ORDERED.

8 Dated: November 17, 2017

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HOWARD R. LLOYD  
United States Magistrate Judge